

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF TEXAS  
TEXARKANA DIVISION**

**ANGELA SALTER,**

Plaintiff,

v.

**BOWIE COUNTY JAIL, ET AL.,**

Defendants.

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CIVIL ACTION NO. 5:21-CV-30-RWS-JBB

**ORDER**

Before the Court is Defendants' Haynes and Forte's Motion for Summary Judgment. Docket No. 22. Plaintiff Angela Salter, an inmate of the Bowie County Correctional Center proceeding *pro se*, filed this civil rights lawsuit under 42 U.S.C. § 1983 complaining of alleged violations of her constitutional rights. Docket No. 1. Plaintiff named Bowie County Jail, LaSalle Corrections, and laundry officers Ms. Haynes and Ms. Forte as defendants. *Id.* The case was referred to United States Magistrate Judge Boone Baxter in accordance with 28 U.S.C. § 636. The Magistrate Judge issued a report recommending that Defendants Haynes and Forte's motion for summary judgment be granted and the case be dismissed for failure to exhaust administrative remedies. Docket No. 32.

After the Magistrate Judge issued a report recommending that Defendants Haynes and Forte's motion for summary judgment be granted, a copy of the report was sent to Plaintiff at her last known address. *See* Docket No. 32. The report, however, was returned as undeliverable on August 9, 2023. Docket No. 34. An order granting Defendants' motion to withdraw their motion to dismiss (Docket No. 33) was also sent to Plaintiff and returned as undeliverable on August 17, 2023. Docket No. 35. To date, Plaintiff has not advised the Court of her current mailing address

or present whereabouts. In her complaint, Plaintiff declared “I understand, if I am released or transferred, it is my responsibility to keep the court informed of my current mailing address and failure to do so may result in the dismissal of this lawsuit.” Docket No. 1 at 5. Accordingly, Plaintiff has failed to prosecute her lawsuit by not advising the Court of her current mailing address.

Because no objections have been received, Plaintiff is barred from *de novo* review by the District Judge of the Magistrate Judge’s proposed findings, conclusions and recommendations and, except upon grounds of plain error, from appellate review of the unobjected-to factual findings and legal conclusions accepted and adopted by the District Court. *See Duarte v. City of Lewisville, Texas*, 858 F.3d 348, 352 (5th Cir. 2017); *Arriaga v. Laxminarayan*, Case No. 4:21-CV-00203-RAS, 2021 WL 3287683, at \*1 (E.D. Tex. July 31, 2021).

The Court has reviewed the pleadings in this case and the report of the Magistrate Judge. Upon such review, the Court has determined the report of the Magistrate Judge is correct. *See United States v. Wilson*, 864 F.2d 1219, 1221 (5th Cir. 1989), *cert. denied*, 492 U.S. 918 (1989) (where no objections to a Magistrate Judge’s report are filed, the standard of review is “clearly erroneous, abuse of discretion and contrary to law.”). Accordingly, it is

**ORDERED** that the Report and Recommendation of the Magistrate Judge (Docket No. 32) is **ADOPTED** as the opinion of the District Court. It is further

**ORDERED** that Defendants Haynes and Forte’s motion for summary judgment (Docket No. 22) is **GRANTED**. It is further

**ORDERED** that the above-captioned action is **DISMISSED WITHOUT PREJUDICE** for failure to exhaust administrative remedies.

**SIGNED this 17th day of October, 2023.**



ROBERT W. SCHROEDER III

UNITED STATES DISTRICT JUDGE